

## EDUCATIONAL EXAMINERS BOARD[282]

### Adopted and Filed

#### Rule making related to student loan default

The Educational Examiners Board hereby rescinds Chapter 9, “Student Loan Default/Noncompliance with Agreement for Payment of Obligation,” and amends Chapter 11, “Complaints, Investigations, Contested Case Hearings,” and Chapter 25, “Code of Professional Conduct and Ethics,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 272.2.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 272.2 and 2019 Iowa Acts, Senate File 304.

#### *Purpose and Summary*

These amendments are intended to implement 2019 Iowa Acts, Senate File 304, which eliminates the suspension or revocation of a license issued to a person who is in default or is delinquent on repayment or a service obligation under federal or state postsecondary educational loans or public or private services-conditional postsecondary tuition assistance solely on the basis of such default or delinquency.

#### *Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on June 19, 2019, as **ARC 4503C**. A public hearing was held on July 10, 2019, at 1 p.m. in Room 3 Southwest, Grimes State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

#### *Adoption of Rule Making*

This rule making was adopted by the Board on August 7, 2019.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 282—Chapter 6.

#### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s

meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on October 2, 2019.

The following rule-making actions are adopted:

ITEM 1. Rescind and reserve **282—Chapter 9**.

ITEM 2. Amend subparagraph **11.4(1)“e”(1)** as follows:

(1) The executive director receives information that a practitioner:

1. to 7. No change.

8. Has failed to comply with a board order as prohibited by 282—paragraph ~~25.3(7)“d”~~ 25.3(7)“c”; and

ITEM 3. Amend subrule 25.3(7) as follows:

**25.3(7) Standard VII—compliance with state law governing obligations to state or local governments, ~~student loan obligations~~, child support obligations, and board orders.** Violation of this standard includes:

*a.* Failing to comply with 282—Chapter 8 concerning payment of debts to state or local governments.

~~*b.* Failing to comply with 282—Chapter 9 concerning repayment of student loans.~~

*e. b.* Failing to comply with 282—Chapter 10 concerning child support obligations.

~~*d. c.* Failing to comply with a board order.~~

[Filed 8/8/19, effective 10/2/19]

[Published 8/28/19]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/28/19.